

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

**NASHVILLE, TENNESSEE**

**February 28, 2002**

**IN RE:**

**ALL TELEPHONE COMPANIES TARIFF  
FILINGS REGARDING  
RECLASSIFICATION OF PAY  
TELEPHONE SERVICE AS REQUIRED BY  
FEDERAL COMMUNICATIONS  
COMMISSION (FCC) DOCKET 96-128**

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**DOCKET NO. 97-00409**

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**ORDER ON FEBRUARY 26, 2002 STATUS CONFERENCE**

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This docket came before the Pre-Hearing Officer for consideration of the *Motion to Compel Responses to Second Data Requests* filed by the Tennessee Payphone Owners Association ("TPOA") on December 28, 2001, a letter filed by United Telephone-Southeast, Inc. ("United") on December 28, 2001, and United's *Response to TPOA's Motion to Compel* filed on January 11, 2002.

On February 26, 2002, immediately following the regularly scheduled Authority Conference, the Pre-Hearing Officer convened a Status Conference to discuss the above listed filings. It became apparent through answers of counsel to questions posed by the Pre-Hearing Officer that the parties had resolved all outstanding discovery disputes with two exceptions. The first exception is the alleged failure of United to respond to request number 5(e) of the TPOA's second set of discovery requests. Counsel for TPOA described the requested information as the average loop length for smart phones and the average loop length for dumb phones. During the conference, the parties agreed that the dispute may be one of semantics and agreed to discuss the

issue further with the assistance of their subject matter experts. The second exception is United's request that the TPOA respond to United's first set of discovery requests. The TPOA agreed that it would be able to respond to United's requests within approximately one week of receiving United's response to request number 5(e).

Upon considering these discussions, the Pre-Hearing Officer ordered the parties' to have their subject matter experts discuss the response to request number 5(e) by the end of the day. The Pre-Hearing Officer further instructed the parties to file by noon, March 1, 2002 a letter explaining any agreements reached as to the two discovery exceptions and proposing a procedural schedule.

**IT IS THEREFORE ORDERED THAT:**

1. The Tennessee Payphone Owners Association and United Telephone-Southeast, Inc. shall commence discussions on the resolution of request number 5(e) of the Tennessee Payphone Owners Association's second set of discovery requests through their respective subject matter experts no later than February 26, 2002.

2. The Tennessee Payphone Owners Association and United Telephone-Southeast, Inc. shall file no later than **noon, Friday, March 1, 2002** a letter containing the following information:

a) a statement as to whether the parties have reached an agreement as to what information request number 5(e) of the Tennessee Payphone Owners Association's second set of discovery requests seeks;

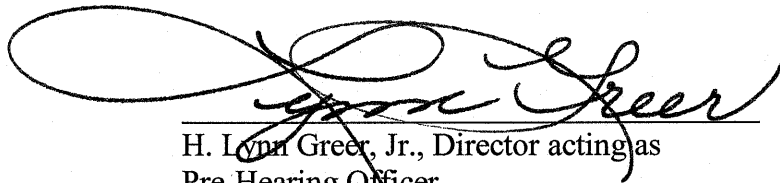
b) a statement as to whether United Telephone-Southeast, Inc. is capable of providing the requested information;

c) assuming the requisite capacity, a date certain when United Telephone-Southeast, Inc. will respond to request number 5(e) of the Tennessee Payphone Owners Association's second set of discovery requests;

d) a date certain when the Tennessee Payphone Owners Association will respond to United Telephone-Southeast, Inc.'s first set of discovery requests;


e) a statement as to whether the Authority should set United Telephone Southeast Inc.'s payphone access line rates through consideration of only the written record; and

f) a proposed procedural schedule.



H. Lynn Greer, Jr., Director acting as  
Pre-Hearing Officer

ATTEST:



K. David Waddell, Executive Secretary